

1
2
3
4
5
6
7 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
8 **OF THE STATE OF WASHINGTON**

9 IN THE MATTER OF
10 ENFORCEMENT ACTION AGAINST
11 DON WASSON,
12 Respondent.

NO. 02-296

STIPULATION OF FACTS,
VIOLATIONS AND PENALTY

13 The parties to this stipulation, Don Wasson, Respondent, with and through his attorney,
14 John W. Wolfe, and Public Disclosure Commission Enforcement Staff (Staff), with and
15 through their attorneys, Christine O. Gregoire, Attorney General, and Linda A. Dalton, Senior
16 Assistant Attorney General, jointly submit this Stipulation of Facts, Violations and Penalty for
17 Commission consideration in lieu of a full enforcement hearing before the Commission. The
18 parties agree that pursuant to RCW 42.17.360 et. seq., the Commission has the authority to
19 accept, decline, or to suggest modifications to this Stipulation.
20

21 **I. Facts**

22 The parties stipulate to the following relevant facts:

- 23 1. During election year 2001, the Respondent, Don Wasson, was a sitting member of the City
24 of Des Moines Council. He was not up for reelection.
25
26

- 1 2. Mr. Wasson desired to change the membership on the Council and recruited candidates for
2 the 2001 election, including Gary Petersen and Maggie Steenrod. Additionally, he
3 supported Richard Benjamin's candidacy for the Council.
- 4 3. In September 2001, Mr. Wasson met with Hank Hopkins, a local businessman, to discuss
5 the candidates for the 2001 city council election.
- 6 4. On September 17, 2001, Mr. Hopkins gave Mr. Wasson \$1,000 to support Mr. Wasson's
7 efforts to get Mr. Petersen, Ms. Steenrod and Mr. Benjamin elected. Mr. Hopkins also
8 referred Mr. Wasson to Tom Hujar, a political consultant, for election assistance.
- 9 5. Following Mr. Hopkins' referral, Mr. Wasson contacted Mr. Hujar and met with him on at
10 least six occasions and spoke to him even more frequently. Mr. Wasson hired Mr. Hujar
11 and paid him \$1,000 to assist Mr. Petersen, Ms. Steenrod and Mr. Benjamin with campaign
12 strategies until the election in November, 2001.
- 13 6. Mr. Wasson also gave Mr. Petersen and Mr. Benjamin reams of paper he had received from
14 Jerry Guite to use in their campaign.
- 15 7. Mr. Wasson instructed Mr. Petersen and Mr. Benjamin to report as in-kind contributions
16 from him the amount of \$750 each on their reports to the PDC. He also instructed them to
17 identify himself as the contributor, even though he knew that Mr. Guite and Mr. Hopkins
18 were the true sources of the contributions.
- 19 8. Subsequent to being hired by Mr. Wasson, Mr. Hujar met with Mr. Hopkins, who provided
20 Mr. Hujar with additional contributions in the amount of \$49,000. \$29,000 was spent by
21 Mr. Hujar for a voter survey specifically requested by Mr. Hopkins and almost \$20,000 in
22 cash was spent by Mr. Hujar in support of Mr. Petersen's, Ms. Steenrod's and Mr.
23 Benjamin's campaigns. None of these contributions were reported by anyone.
- 24
25
26

1 9. Mr. Petersen, Ms. Steenrod and Mr. Benjamin were all elected to the Council during the
2 2001 election. Shortly thereafter, they each voted to appoint Mr. Wasson as Mayor of Des
3 Moines.

4 10. Following a complaint, investigation and filing of a Notice of Administrative Charges in
5 this matter, Mr. Wasson first resigned as Mayor of Des Moines and recently resigned from
6 the Council itself.
7

8 **II. Violations**

9 Mr. Wasson and Staff agree that based upon the facts stipulated above, the Commission
10 would likely find that Mr. Wasson violated the Public Disclosure Act in the manner charged in
11 the Notice of Administrative Charges dated January 14, 2003.
12

13 **III. Penalty**

14 Mr. Wasson and Staff agree that based upon the stipulation of facts and violations of
15 chapter 42.17 RCW as well as his resignation from the City of Des Moines Council, the
16 following penalty and terms should be assessed against Mr. Wasson.

17 (A) A civil penalty of \$10,000.00 be assessed against Mr. Wasson. \$7,500.00 of this
18 penalty will be suspended in this matter based on Mr. Wasson's compliance with
19 the following conditions:
20

21 (B) Mr. Wasson agrees to not seek election to any public office as defined in RCW
22 42.17.020;

23 (C) Mr. Wasson agrees to not serve as a campaign treasurer for any political committee
24 or candidate or to solicit of any contribution for a political committee or candidate
25 in the future;
26

1 (D) Mr. Wasson agrees to cooperate fully and truthfully in any investigation or
2 enforcement proceeding concerning any political activity in the City of Des
3 Moines; and

4 (E) Mr. Wasson commits no further violations of any provision of chapter 42.17 RCW
5 on the future. However, the suspended portion of this penalty will only be
6 imposed upon a finding of violation or order of referral by the full Commission, or
7 other final adjudication after Mr. Wasson is afforded all due process to which he is
8 entitled under the law. The parties agree that the specific facts of this incident as
9 stipulated above would be considered verities in a future proceeding, and the only
10 issue for adjudication would be limited to the alleged facts and violations of the
11 new charges.
12

13
14 The entire non-suspended portion of the penalty will be paid within 30 days from the
15 date of entry of the Commission's Final Order. Failure to pay as required will result in the full
16 penalty being immediately due and owing.

17 Mr. Wasson reaffirms his intention to cooperate with the Commission and to comply in
18 good faith with all provisions of chapter 42.17 RCW.

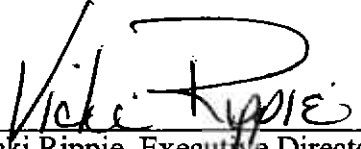
19 Respectfully submitted this 5th day of March, 2003.

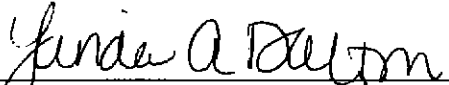
20 For the Respondent

21 Don Wasson 3/19/03
22 Don Wasson, Respondent - Date

23
24 John W. Wolfe 3/18/03
25 John W. Wolfe, Attorney for Respondent - Date
26

1 For the Commission Staff

2
3  3/25/03
4 Vicki Rippie, Executive Director – Date
5 Public Disclosure Commission

6
7  3/25/03
8 Linda A. Dalton, Attorney for Staff – Date
9 Senior Assistant Attorney General
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

